

Making Voting Easier for Uniform Overseas Citizens Absentee Voting Act

The Federal Voting Assistance Program (FVAP) works closely with state and local officials and legislators to implement legislative initiatives that will make voting easier for citizens voting under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

Because electoral laws vary widely from jurisdiction to jurisdiction, FVAP Program Analysts, working closely with state and local election officials, identify areas that need to be improved and develop legislative initiatives for each state. Each year, the Director communicates with the Chief Election Official of each state and territory to recommend specific areas in which that state could ease the voting burden faced by UOCAVA citizens if those areas were considered and enacted by the state's legislature. The following universal initiatives to simplify the voting process are being pursued this year were applicable, as well as other initiatives, relating to unique situations in the individual states.

The Need for 45 Day Ballot Transit Time

One of the most frequent problems faced by citizens who are outside the United States is that they do not receive their absentee ballots in time to mark the ballot and return it to their state by the election deadline. The problem often lies with the date the absentee ballots were mailed by the states. The FVAP recommends a minimum of 45 days between the date the ballot is mailed to the citizen and the due date by which the citizen must return the voted ballot to the local election official. Allowing for sufficient mail transit time would help ensure that more citizens' votes would be counted. Currently, 42 states or territories provide a 45 day ballot transit time.

Use of One Federal Post Card Application for All Elections in a Calendar Year

Some states require a separate request for a ballot for each election held or accept the Federal Post Card Application (FPCA) for only some types of elections. This initiative asks the states to accept a single FPCA to serve as both a registration request and a request for absentee ballots for all elections in a calendar year. Currently, 47 states or territories accept a single FPCA for primary, general and for other elections.

Elimination of Notary Requirements

The National Voter Registration Act of 1993 (NVRA) eliminated notary requirements on all applications for voter registration. However, some states still require notarization of the ballot return envelope. Obtaining notarization can be difficult and expensive for citizens in some foreign countries and can be burdensome for many others. The FVAP recommends that this requirement be fulfilled by allowing citizens to execute a self-administered oath. Only seven states still require ballot notarization in elections for Federal offices.

Elimination of "Not Earlier Than" Restrictions

A few states will not process an FPCA request for registration and/or absentee ballot if it is received before a set date in a calendar year. Many citizens are not aware of these restrictions and submit their FPCA requests without realizing they will not be processed. The FVAP has asked the states and territories to remove these "not earlier than" restrictions and process an FPCA at any time during a calendar year as long as it is received prior to the registration deadline. Currently, 46 states and territories have removed the not earlier than restriction.

Late Registration for Returning Citizens

Often the date a UOCAVA citizen returns to the United States and a state's registration requirements combine to disenfranchise the citizen. For example, if a Uniform Service member is released from active duty or an overseas citizen returns from overseas employment after the registration deadline but before the election date, they are not covered under UOCAVA and cannot vote by absentee ballot; neither can they register to vote in the election as a resident citizen. Allowing these citizens to register past the regular deadline for registration, even on the day of election, would prevent their disenfranchisement. Twenty-three states currently permit late registration for UOCAVA citizens.

State Write-In Absentee Ballots

Citizens who live in remote areas, such as Peace Corps workers or missionaries, and military members on remote assignments who do not regularly receive mail, are often unable to receive absentee ballots in time to vote. The Federal Write-In Absentee Ballot (FWAB) (SF-186) permits these citizens to vote for candidates for Federal office but, in most states, does not cover the election of candidates for state office. Providing these citizens with a State Write-In Absentee Ballot well in advance of the election would afford the opportunity for these citizens to vote a full ballot. Twenty-six states provide such a ballot.

Electronic Transmission of Election Materials

The authorization for and use of sending voting materials via electronic means (fax) has increased substantially during the past three election cycles. Electronic transmission has proven to be valuable for citizens who are unable to receive and send these materials via ordinary mail. Electronic transmissions range from accepting faxed FPCAs for registration and/or ballot request to transmission of blank ballots to the citizen to acceptance of voted ballots sent by electronic means. One or more of these aspects of electronic transmission is accepted by 46 states or territories.

Expanded Use of the Federal Write-In Absentee Ballot (FWAB)

The UOCAVA requires the FWAB be accepted for Federal offices in general elections. Since the FWAB is pre-positioned overseas, by expanding its use to include special, primary, and run-off elections, citizens would have a state back-

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up ballot when state ballots for these elections are not received in enough time to meet the state ballot deadline.

The FVAP is also asking the states to expand use of the FWAB by accepting it as a simultaneous registration form and voted ballot. The information requested on the FWAB transmission envelope is the same as the information requested from the voter on the FPCA. Six states have expanded acceptance of the FWAB in one or both of these ways.

Enfranchise Citizens Who Have Never Resided in the U.S.

Approximately 50,000 voting age children of U.S. citizens have never themselves resided in the U.S. and are not entitled to vote under current law in many states. While they are subject to all other requirements of citizenship, they are not eligible to vote. The FVAP is asking the states to allow these citizens to vote where either parent is currently eligible to vote under UOCAVA. Eight states have enacted this provision.

Emergency Authority for Chief Election Official

Granting emergency authority to the chief election official (CEO) in the state or territory would allow the CEO to designate alternate methods for handling absentee ballots in times of a declared emergency.

What You Can Do?

The FVAP also provides sample legislative language regarding these issues to be considered by the state legislative body. For a copy of the letter sent to the state of your residency, contact FVAP at 1-800-438-8683. You can then contact your state's CEO through the DoD Voting Information Center to urge passage of these legislative initiatives.

CALL THE FVAP TOLL-FREE FROM OVER 50 COUNTRIES (SEE LIST BELOW). REMEMBER, THE FVAP IS HERE FOR YOU WHEN LOCAL ASSISTANCE IS NOT AVAILABLE.

- ANTIGUA 1-877-8333886
- AUSTRALIA 1-800-1-27668
- BAHAMAS 1-8778333886
- BAHRAIN 800-687
- BARBADOS 1-800-534-2104
- BELGIUM 0800-76834
- BERMUDA 1-8778333886
- BRAZIL 000-814-550-3742
- CANADA 1-800-438-8683
- CAYMAN ISLANDS 1-877-833-3886
- CHILE 800-201844
- CHINA 10-800-120-0241
- COLUMBIA 980-915-4710

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- COSTA RICA 0800-0120204
- DENMARK 80-882544
- DOMINICAN REPUBLIC 1-8001561554
- FINLAND 0-800-1-19515
- FRANCE 0800-914727
- GERMANY 0800-1007428
- GREECE 00800-12-5268
- GUYANA 1-800-877-8333886
- HONG KONG 800-908809
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- INDONESIA 001-803-011-2583
- IRELAND 1-800-55-5189
- ISRAEL 1-800-9203230
- ITALY 800-874729
- JAMAICA 1-800-666-3819
- JAPAN 00531-120076
- KOREA 00798-14-800-4399
- LUXEMBOURG 0800-9087
- MALAYSIA 1-800-80-3709
- MARSHALL ISLANDS 1-877833-3886
- MEXICO 001-8778333886
- NETH ANTILLES 001-8778333886
- NETHERLANDS 0800-0249769
- NEW ZEALAND 0800-441388
- NICARAGUA 001-800-2201349
- NORWAY 800-15501
- PANAMA 001-800-5071351
- PHILIPPINES 1-800-1-114-0831
- POLAND 0-0-800-1112-561
- PORTUGAL 08008-12816
- RUSSIA 8-10-8002-0283011
- SINGAPORE 800-1203425
- SOUTH AFRICA 080-09-97300
- SPAIN 900-931912
- ST VINCENT 1-877-8333886
- ST. KITTS/NEVIS 1-877833-3886
- SWEDEN 020-79-6876
- SWITZERLAND 0800-895623
- TAIWAN 0080-13-9817
- THAILAND 001-800-12-066-3305
- TRINIDAD & TOBAGO 1-800-934-7340
- TURKEY 00800-151-0733
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- UNITED STATES 1-800-438-8683

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- URUGUAY 000-413-598-2492
- VENEZUELA 8001-2913

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